

**REMARKS/ARGUMENTS**

Re-examination and favorable reconsideration in light of the above amendments and the following comments are respectfully requested.

In the office action mailed September 9, 2004, the Examiner required restriction between the following groups of inventions.

- I. Claims 1-6, 21, and 22, drawn to a brush seal, classified in class 416, subclass 173.3;
- II. Claims 7, 9-14, 23, and 24, drawn to a brush seal segment, classified in class 277, subclass 355; and
- III. Claims 15-20, drawn to a method of assembling a brush seal, classified in class 415, subclass 173.5.

By the present response, Applicant hereby elects the invention of Group II, claims 7, 9-14, 23, and 24 for the purposes of examination. This election is made with traverse with respect to the invention in Groups I and II.

With regard to Groups I and II, these two groups are not related in combination/subcombination. Independent claims 1 and 7 both recite the same three basic elements--a bristle arrangement and pair of plates. To further emphasize that the inventions are not related as combination/subcombination, the preamble of claims 1-6, 21 and 22 have been amended herein to recite a brush seal "segment" rather than a brush seal.

Applicant respectfully requests that an action be issued on claims 1-7, 9-14, and 21-24. Applicant hereby reserves the right to file a divisional application to non-elected claims 15-20.

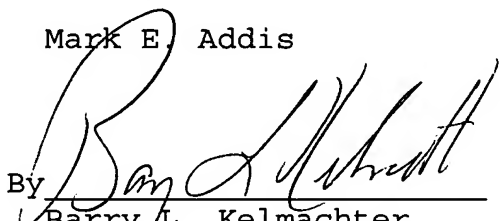
Appl. No. 10/065,897  
Amdt. dated Oct. 5, 2004  
Reply to office action of Sept. 9, 2004

Should the Examiner believe an additional amendment is needed to place the case in condition for allowance, he is invited to contact Applicant's attorney at the telephone number listed below.

No fee is believed to be due as a result of this response. Should the Commissioner determine that a fee is due, he is hereby authorized to charge said fee to Deposit Account No. 21-0279.

Respectfully submitted,

Mark E. Addis

By   
Barry L. Kelmächter  
BACHMAN & LaPOINTE, P.C.  
Reg. No. 29,999  
Attorney for Applicant

Telephone: (203) 777-6628 ext. 112  
Telefax: (203) 865-0297  
Email: docket@bachlap.com

Date: October 5, 2004

I, Nicole Motzer, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on **October 5, 2004**.

